

## **Legal Terms and Doctrines**

### **Full Faith and Credit**

The phrase "Full Faith and Credit Clause" refers to Article IV, Section 1 of the United States Constitution, which provides:

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

The clause was primarily intended to apply to the enforcement of non-federal laws, civil claims and court rulings across state lines. Without this clause, enforcement of state-to-state extradition, portability of court orders, nationwide recognition of legal status, out-of-state taxation, spousal and child support, and the collection of fees and fines would all be impossible without separate federal action, or a similar action by the other states.

### **Comity**

The federal common law doctrine of comity means that one court will recognize and honor another court's decisions primarily out of respect and courtesy for the other court's authority. Comity is also used in international law (and in the law governing relations between U.S. states) to describe an informal principle that nations will extend certain courtesies to other nations, particularly by recognizing the validity and effect of their executive, legislative, and judicial acts. This principle is most frequently invoked by courts, which will not act in a way that demeans the jurisdiction, laws or judicial decisions of another country. However, comity should not be misinterpreted as implying that all laws are of universal jurisdiction. In many countries, comity is effective only to the extent that foreign laws or judgments do not directly conflict with the forum country's public policy.

### **Substantive Due Process**

This is broadly defined as the constitutional guarantee that no person shall be arbitrarily deprived of life, liberty or property. The essence of substantive due process is protection from arbitrary and unreasonable action.

### **Procedural Due Process**

Procedural due process is essentially based on the concept of "fundamental fairness." As a bare minimum, it includes an individual's right to be adequately notified of charges or proceedings involving the individual, and the opportunity to be heard at these proceedings. In criminal cases, it ensures that an accused person will not be subjected to cruel and unusual punishment.

Sources: <http://en.wikipedia.org>, <http://www.stanford.edu>, Black's Law Dictionary (5th ed.)